

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

WAG ACQUISITION, L.L.C.,

Plaintiff,

v.

GOOGLE LLC and  
YOUTUBE, INC.,

Defendants.

Civil Action No. 6:21-cv-00816-ADA

**JURY TRIAL DEMANDED**

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**DECLARATION OF HENRY GREEN IN SUPPORT OF GOOGLE LLC AND  
YOUTUBE, LLC's MOTION TO TRANSFER**

I, Henry Green, declare and state as follows:

1. I am a Technical Lead/Manager on the Playback Experience Team at Google LLC ("Google") and am responsible for playback of audio and video content on the HTML5 player across [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com). I have been a Google employee since March 2016. My office is located in San Bruno, California.

2. I am over 18 years of age and have personal knowledge of the facts set forth in this Declaration. If called as a witness, I could and would testify competently to the information contained herein.

3. Google has been headquartered in Northern California since its founding in 1998. It is currently headquartered in Mountain View, California. Based on my knowledge and investigation, as of August 2021, the Mountain View headquarters employed approximately 39,910 employees, which is approximately 44.66% of Google's U.S. employees. As of August 2021, Google also employed approximately 11,225 other employees in offices in San Francisco, California and other Northern California offices, such as San Bruno, California, Palo Alto,

California, and San Jose, California, which is approximately 12.56% of Google's U.S. employees. Thus, as of August 2021, approximately 57.23% (or 51,135 employees) of Google's total U.S. employees, including engineers, product managers, marketers, executives, and staff were employed out of Google's offices located in Northern California cities.

4. I am knowledgeable about the media player for [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com). I am also generally knowledgeable about the server-side infrastructure and how the media player interacts with the server-side infrastructure to stream pre-recorded and live media, including video, music, and TV programming.

5. Based on my knowledge and investigation, the Google engineers who primarily work on YouTube work predominantly from its San Bruno office. As of August 2021, the San Bruno office employed approximately 2,698 employees, the majority of whom work primarily on YouTube. Based on my knowledge and investigation, employees who have knowledge of, and responsibility for, technical aspects of how pre-recorded and live video, audio, and TV are streamed on [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com) are primarily assigned to work from Google's offices in San Bruno, California, the San Francisco Bay Area, California, and Cambridge, Massachusetts. For example, I am a member of Google's YouTube Playback Experience HTML5 Team, which is responsible for aspects of the technical infrastructure for streaming video, music, and TV for [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com). Eleven of the Playback Experience HTML5 Team members having knowledge of, and responsible for, aspects of the technical infrastructure for streaming video, music, and TV work in San Bruno, California. The two additional team members are located in Tahoe, California, and Kirkland, Washington.

6. In addition, I have worked with Dmitry Dolinsky, who works with the YouTube

Music Playback Team that is responsible for various technical aspects of the YouTube Music service, such as streaming audio and video on music.youtube.com. Based on my knowledge and investigation, Mr. Dolinsky's office is also located in San Bruno, California. Based on my knowledge and investigation, Mr. Dolinsky's direct engineering reports working on the streaming of audio and video from music.youtube.com on the YouTube Music Playback Team, also work from Google's San Bruno, California; Mountain View, California; or San Francisco, California offices.

7. Likewise, I have worked with German Cheung from the YouTube TV Product Features Team that is responsible for various technical aspects of the YouTubeTV service, such as streaming audio and video on tv.youtube.com. Mr. Cheung's office is also located in San Bruno, California. Based on my knowledge and investigation, Mr. Cheung's direct engineering reports working on the technical aspects of the YouTubeTV service, including streaming audio and video on tv.youtube.com, also work from Google's San Bruno, California or Mountain View, California offices.

8. Further, I have worked directly with the Live Infrastructure Team, Core Streaming and Storage Team, and Edge Streaming and Streaming Performance Team, all managed by Nils Krahnstoeber, which are responsible for managing aspects of the infrastructure for storing and fetching media, as well as streaming live and on-demand content. Based on my knowledge and investigation, members of Mr. Krahnstoeber's teams knowledgeable about the technical aspects regarding the infrastructure for storing and fetching media, as well as streaming live and on-demand content, are located primarily in Cambridge, Massachusetts.

9. As of August 2021, Google had approximately 1,899 employees, approximately 2.13% of Google's U.S. employees, in Austin, Texas. I am aware of no Google employees who

are knowledgeable about, and responsible for, YouTube client and server streaming infrastructure and functions relating to streaming of pre-recorded and live video, audio, and TV programming over the Internet such as streaming and playing content from [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com) that are located in Austin, Texas.

10. Based on my knowledge and investigation, the Google employees who have knowledge about the financial aspects pertaining to the streaming of pre-recorded and live video, audio, and TV over [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com) work primarily in the San Bruno, California offices. Jason Grimm is a Finance Director in Financial Planning and Analysis and works in Google's San Bruno office. I understand that Mr. Grimm has knowledge regarding financial data and statements, accounting, and record-keeping related to streaming media over [www.youtube.com](http://www.youtube.com), [music.youtube.com](http://music.youtube.com), and [tv.youtube.com](http://tv.youtube.com).

11. Based on my knowledge and investigation, as a matter of Google practice, documents, including financial, source code, and technical documents, in Google's possession about its products and services are normally created and maintained by the employees working on those products and services.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct.

Executed on April 7, 2022, in San Bruno, California.

By: \_\_\_\_\_

Henry Green